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Attorneys for Defendant AVERO, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MGM RESORTS INTERNATIONAL
OPERATIONS, INC., a Nevada
corporation,

Plaintiff,

v.

AVERO, LLC, a Delaware limited liability
company,

Defendant.

Case No. 2:12-cv-0472-JCM-PAL

*******STIPULATION AND
ORDER RE DEADLINE TO
RESPOND TO FIRST AMENDED
COMPLAINT
(FIFTH REQUEST)**

WHEREAS, on March 20, 2012, Plaintiff commenced this action by filing a Complaint in this court (*docket no. 1*);

WHEREAS, July 13, 2012, Plaintiff filed a First Amended Complaint (*docket no. 6*);

WHEREAS, on July 16, 2012, Plaintiff served the First Amended Complaint and Summons on Defendant;

WHEREAS, the parties previously agreed to extend Defendant's deadline to answer, move against, or otherwise respond to the First Amended Complaint and for Plaintiff's deadline to reply thereto;

WHEREAS, the Court entered Orders approving the parties' previous stipulations (*docket nos. 9, 11, 13 and 15*) and in the most recent approval indicated that no further extensions would be granted;

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WHEREAS, the parties have agreed on most of the key terms of settlement, have exchanged two rounds of drafts of the settlement agreement, and believe that agreement on the final changes is imminent;

WHEREAS, the parties recently agreed to include a non-party signatory to the agreement (Jonathan Tuzman, a former Averro employee now employed by MGM) and Mr. Tuzman will need time to consult counsel regarding execution of the settlement agreement;

WHEREAS, the parties desire to avoid Averro unnecessarily incurring attorneys' fees and to prepare and file an answer or other responsive pleading when settlement is imminent and when such expenditure could negatively impact finalizing settlement;

WHEREAS, under the circumstances, the parties request that the Court grant an additional extension of time for Averro to answer or otherwise respond to the First Amended Complaint by fourteen (14) days;

NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES HERETO AND THEIR COUNSEL OF RECORD THAT Defendant's deadline to answer, move against, or otherwise respond to the First Amended Complaint shall be November 14, 2012, and Plaintiff's deadline to respond to Defendant's filing shall be December 14, 2012.

DATED: October 26, 2012

LEWIS AND ROCA LLP

//s// Michael J. McCue

Michael J. McCue
Jonathan W. Fountain

Attorneys for Plaintiff MGM Resorts
International Operations, Inc.

DATED: October 26, 2012

SANTORO WHITMIRE

//s// Nicholas J. Santoro

Nicholas J. Santoro
Jason D. Smith

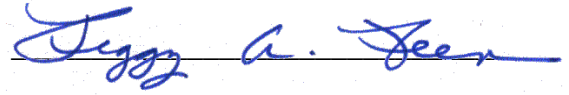
Attorneys for Defendant AVERO, LLC

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IT IS SO ORDERED:

DATED: "Qevqdg"52."4234



UNITED STATES MAGISTRATE JUDGE